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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/575,033	05/19/2000	Pekka Mottonen	872.8708.USU	1031

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EXAMINER
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MEHRA, INDER P

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 07/14/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/575,033

Applicant(s)

MOTTONEN ET AL.

Examiner

Inder P Mehra

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 May 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4&5.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This is in response to application dated: 5/19/00.

#### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-9 rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 1 recites the limitation "the introduction of a 200kHz GSM-type network " in line 1. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

Claims 1 and 5 recite the limitation "rotating control channels belonging to a serving time group over every other time slot number" in line 8. Its recitation of other time slot number" is not clearly explained as to its location in "52-multiframe sequence" or block sequence.

Appropriate correction is required.

Claims 2-4 recite "a method" in line 1. Change "a" to "the", because its antecedent basis is recited in claim 1.

Appropriate correction is required.

Claims 6-9 recite "a system" in line 1. Change "a" to "the", because its antecedent basis is recited in claim 1.

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Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-2, 4-6 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by over (“3-Carrier Compact Proposal, revision 1.0, ETSI SMG2 Working Session on EDGE, May 17-19, 1999, Paris, France, Source: UWCC, PP, 1-16, hereinafter, “3-Carrier Compact Proposal”

For claims 1 and 5, 3-Carrier Compact Proposal discloses the a method for enabling introduction of a 200khz GSM-type network----- GSM-type network, refer to abstract, introduction and paragraph 2 at page 2;

- providing a 52-multiframe (refer to paragraph 4 at page 3) containing 12 blocks of four consecutive frames (refer to 4/12 reuse (rotating) 4 time groups in sub-paragraph 2 at page 4), two idle frames, and two channels used for control channel purposes (control signaling, refer to sub-paragraph 3 at page 4);
- rotating control channels belonging to a serving time group over every other time slot number (4/12 reuse) , refer to sub-paragraph 2 at page 4 and sub-paragraph 6 at page 5.

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For claims 2, 3-Carrier Compact Proposal discloses the rotation occurs over odd every time slot numbers as 7, 5, 3, 1, 7, 5-----etc. and where the rotation occurs between frame numbers (FN) mod 52=3 and 4, refer to paragraph 4 and "4/12 reuse" in second paragraph at page 4.

For claims 4 and 8, 3-Carrier Compact Proposal discloses, information specifying at least the rotation direction is signaled to the mobile station in a downlink synchronization channel, refer to (a mobile will, ----synchronization burst) paragraph 8 at page 5.

***Allowable Subject Matter***

6. Claims 3 and 7 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

***Prior Art***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Diachina et al (US Patent No. 5,768,276) discloses a communication system in which information is transmitted in successful grouped into a plurality of super frames.
- Bohnke (US Patent No. 6,545, 997) discloses a transmission method for transmitting signals on the basis of OFDM/TDMA system.

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*Conclusion*

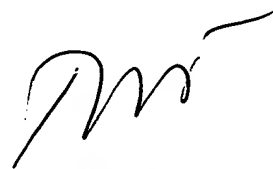
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Inder P Mehra whose telephone number is 703-305-1985.

The examiner can normally be reached on 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 703-308-5463. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Inder P Mehra  
Examiner  
Art Unit 2666

  
DANSTON  
PATENT EXAMINER